

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

XUEBAO CHEN,

Plaintiff,

vs.

WARDEN NEVEN, et al.,

Defendants.

Case No. 2:12-cv-02163-JAD-PAL

ORDER

(Mot. Resched. Med. - Dkt. #22)

Before the court is Plaintiff's Motion to Reschedule Mediation (Dkt. #22). This is a *pro se* prisoner case which has been stayed and referred for Early Inmate Mediation (Dkt. #21). The mediation is scheduled for October 11, 2013, at 9:00 a.m.

Plaintiff requests that the mediation be rescheduled because he is scheduled to be released from state custody October 2, 2013, and taken into immigration custody based on a hold from the People's Republic of China. Defendants filed a Notice of Non-Opposition (Dkt. #23). Counsel for the Defendants confirmed with the Nevada Department of Corrections that Plaintiff was scheduled to be released on October 2, 2013, to immigration officials. Counsel for Defendants therefore concur that the mediation should be rescheduled to allow Plaintiff to participate. As it is unclear where Plaintiff will be located due to his immigration status, defense counsel suggests that the mediation be rescheduled when Plaintiff notifies the court of his new address as required by Local Special Rule 2-2.

Having reviewed and considered the matter,

IT IS ORDERED that:

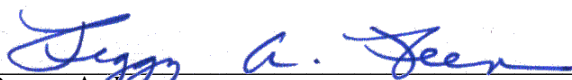
1. Plaintiff's Motion to Reschedule Mediation (Dkt. #22) is **GRANTED**.
2. Plaintiff shall comply with the requirements of Local Special Rule 2-2 which requires that he "immediately file with the Court written notification of any change of address.

1 The notification must include proof of service upon each opposing party or the party's
2 attorney. Failure to comply with this Rule may result in dismissal of the action with
3 prejudice."

4 3. The mediation shall be rescheduled once the required written notification of change of
5 address is received.

6 4. The clerk of the court shall serve this order on Mediator David Fischer.

7 Dated this 7th day of October, 2013.

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10 Peggy A. Leen
11 United States Magistrate Judge
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